



**KING COUNTY**

1200 King County Courthouse  
516 Third Avenue  
Seattle, WA 98104

**Signature Report**

**August 31, 2009**

**Ordinance 16640**

**Proposed No.** 2009-0237.2

**Sponsors** Dunn and Gossett

1 AN ORDINANCE relating to code revisions and additions  
2 necessary to provide for the administration of volunteers  
3 for the county; amending Ordinance 12014, Section 5, as  
4 amended, and K.C.C. 3.12.010 and adding a new section to  
5 K.C.C. chapter 3.12.

6

7 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

8 SECTION 1. Findings:

9 A. The county involves the community in its work, provides scope of work  
10 direction to its volunteers and supports the endeavors of volunteers for the county in a  
11 manner that benefits the community and is in the best interest of the county.

12 B. In order to provide for the administration of volunteers, certain code revisions  
13 are necessary.

14 SECTION 2. Ordinance 12014, Section 5, as amended, and K.C.C. 3.12.010 are  
15 each hereby amended to read as follows:

16 All words shall have their ordinary and usual meanings except those defined in  
17 this section, which shall have, in addition, the following meanings. In the event of

18 conflict, the specific definitions set forth in this section shall presumptively, but not  
19 conclusively, prevail.

20 A. "Administrative interns" are employees who are also enrolled full-time during  
21 the regular school year in a program of education, internship or apprenticeship. All  
22 administrative internships in executive departments shall be approved by the manager.  
23 Administrative interns are exempt from the career service under Section 550 of the  
24 charter.

25 B. "Appointing authority" means the county council, the executive, chief officers  
26 of executive departments and administrative offices, or division managers having  
27 authority to appoint or to remove persons from positions in the county service.

28 C. "Basis of merit" means the value, excellence or superior quality of an  
29 individual's work performance, as determined by a structured process comparing the  
30 employee's performance against defined standards and, where possible, the performance  
31 of other employees of the same or similar class.

32 D. "Board" means the county personnel board established by Section 540 of the  
33 charter.

34 E. "Career service employee" means a county employee appointed to a career  
35 service position as a result of the selection procedure provided for in this chapter, and  
36 who has completed the probationary period.

37 F. "Career service position" means all positions in the county service except for  
38 those that are designated by Section 550 of the charter as follows: all elected officers; the  
39 county auditor, the clerk and all other employees of the county council; the county  
40 administrative officer; the chief officer of each executive department and administrative

41 office; the members of all boards and commissions; administrative assistants for the  
42 executive and one administrative assistant each for the county administrative officer, the  
43 county auditor, the county assessor, the chief officer of each executive department and  
44 administrative office and for each board and commission; a chief deputy for the county  
45 assessor; one confidential secretary each for the executive, the chief officer of each  
46 executive department and administrative office, and for each administrative assistant  
47 specified herein; all employees of those officers who are exempted from the provisions of  
48 this chapter by the state constitution; persons employed in a professional or scientific  
49 capacity to conduct a special inquiry, investigation or examination; part-time and  
50 temporary employees; administrative interns; election precinct officials; all persons  
51 serving the county without compensation; physicians; surgeons; dentists; medical interns;  
52 and student nurses and inmates employed by county hospitals, tuberculosis sanitariums  
53 and health departments of the county.

54 Divisions in executive departments and administrative offices as determined by  
55 the county council shall be considered to be executive departments for the purpose of  
56 determining the applicability of Section 550 of the charter.

57 All part-time employees shall be exempted from career service membership  
58 except, all part-time employees employed at least half time or more, as defined by  
59 ordinance, shall be members of the career service.

60 G. "Charter" means the King County Charter, as amended.

61 H. "Child" means a biological, adopted or foster child, a stepchild, a legal ward  
62 or a child of an employee standing in loco parentis to the child, who is:

63 1. Under eighteen years of age; or

64           2. Eighteen years of age or older and incapable of self care because of a mental  
65 or physical disability.

66           I. "Class" or "classification" means a position or group of positions, established  
67 under authority of this chapter, sufficiently similar in respect to the duties, responsibilities  
68 and authority thereof, that the same descriptive title may be used to designate each  
69 position allocated to the class.

70           J. "Classification plan" means the arrangement of positions into classifications  
71 together with specifications describing each classification.

72           K. "Compensatory time" means time off granted with pay in lieu of pay for work  
73 performed either on an authorized overtime basis or work performed on a holiday  
74 ((which)) that is normally scheduled as a day off. Such compensatory time shall be  
75 granted on the basis of time and one-half.

76           L. "Competitive employment" means a position established in the county budget  
77 and ((which)) that will require at least twenty-six weeks of service per year as the work  
78 schedule established for the position.

79           M. "Council" means the county council as established by Article 2 of the charter.

80           N. "County" means King County and any other organization that is legally  
81 governed by the county with respect to personnel matters.

82           O. "Developmental disability" means a developmental disability, as defined in  
83 RCW 71A.10.020(2), as amended, attributable to mental retardation, cerebral palsy,  
84 epilepsy, autism or other neurological or other condition of an individual found by the  
85 secretary of the Washington state Department of Social and Health Services, or the  
86 secretary's designee, to be closely related to mental retardation or to require treatment

87 similar to that required for individuals with mental retardation, which disability originates  
88 before the individual attains age eighteen, (~~which~~) that has continued or can be  
89 expected to continue indefinitely(~~;~~) and (~~which~~) that constitutes a substantial handicap  
90 for the individual.

91 P. "Direct cost" means the cost aggregate of the actual weighted average cost of  
92 insured benefits, less any administrative cost therefore. Any payments to part-time and  
93 temporary employees under this chapter shall not include any administrative overhead  
94 charges applicable to administrative offices and executive departments.

95 Q. "Director" means the manager of the human resources division.

96 R. "Division" means the human resources division or its successor agency.

97 S. "Domestic partners" are two people in a domestic partnership, one of whom is  
98 a county employee.

99 T. "Domestic partnership" is a relationship whereby two people:

- 100 1. Have a close personal relationship;
- 101 2. Are each other's sole domestic partner and are responsible for each other's  
102 common welfare;
- 103 3. Share the same regular and permanent residence;
- 104 4. Are jointly responsible for basic living expenses, which means the cost of  
105 basic food, shelter and any other expenses of a domestic partner that are paid at least in  
106 part by a program or benefit for which the partner qualified because of the domestic  
107 partnership. The individuals need not contribute equally or jointly to the cost of these  
108 expenses as long as they agree that both are responsible for the cost;
- 109 5. Are not married to anyone;

110 6. Are each eighteen years of age or older;

111 7. Are not related by blood closer than would bar marriage in the state of  
112 Washington;

113 8. Were mentally competent to consent to contract when the domestic  
114 partnership began.

115 U. "Emergency budget furlough," also referred to as "mandated leave," means  
116 placing an employee for one or more furlough days in a temporary status without duties  
117 and without pay due to an emergency budget crisis proclaimed and ratified under K.C.C.  
118 3.12F.020.

119 V. "Employed at least half time or more" means employed in a regular position  
120 ((which)) that has an established work schedule of not less than one-half the number of  
121 hours of the full-time positions in the work unit in which the employee is assigned, or  
122 when viewed on a calendar year basis, nine hundred ten hours or more in a work unit in  
123 which a work week of more than thirty-five but less than forty hours is standard or one  
124 thousand forty hours or more in a work unit in which a forty hour work week is standard.  
125 If the standard work week hours within a work unit varies (for instance, employees  
126 working both thirty five and forty hours), the manager, in consultation with the  
127 department, is responsible for determining what hour threshold will apply.

128 X. "Employee" means any person who is employed in a career service position or  
129 exempt position.

130 Y. "Executive" means the county executive, as established by Article 3 of the  
131 charter.

132           Z. "Exempt employee" means an employee employed in a position that is not a  
133 career service position under Section 550 of the charter. Exempt employees serve at the  
134 pleasure of the appointing authority.

135           AA. "Exempt position" means any position excluded as a career service position  
136 by Section 550 of the charter. Exempt positions are positions to which appointment may  
137 be made directly without a competitive hiring process.

138           BB. "Full-time regular employee" means an employee employed in a full-time  
139 regular position and, for full-time career service positions, is not serving a probationary  
140 period.

141           CC. "Full-time regular position" means a regular position (~~which~~) that has an  
142 established work schedule of not less than thirty-five hours per week in those work units  
143 in which a thirty-five hour week is standard, or of not less than forty hours per week in  
144 those work units in which a forty-hour week is standard.

145           DD. "Furlough day" means a day for which an employee shall perform no work  
146 and shall receive no pay due to an emergency budget crisis necessitating emergency  
147 budget furloughs.

148           EE. "Furloughed employee" means an employee who is placed in a temporary  
149 status without duties and without pay due to a financial emergency necessitating budget  
150 reductions.

151           FF. "Grievance" means an issue raised by an employee relating to the  
152 interpretation of rights, benefits, or condition of employment as contained in either the  
153 administrative rules or procedures, or both, for the career service.

154 GG. "Immediate family" means spouse, child, parent, son-in-law, daughter-in-  
155 law, grandparent, grandchild, sibling, domestic partner and the child, parent, sibling,  
156 grandparent or grandchild of the spouse or domestic partner.

157 HH. "Incentive increase" means an increase to an employee's base salary within  
158 the assigned pay range, based on demonstrated performance.

159 II. "Integrated work setting" means a work setting with no more than eight  
160 persons with developmental disabilities or with the presence of a sensory, mental or  
161 physical handicap as specified in K.C.C. 3.12.180. This definition refers to all county  
162 offices, field locations and other work sites at which supported employees work  
163 alongside employees who are not persons with development disabilities employed in  
164 permanent county positions.

165 JJ. "Life-giving and life-saving procedures" means a medically-supervised  
166 procedure involving the testing, sampling, or donation of blood, organs, fluids, tissues  
167 and other human body components for the purposes of donation without compensation to  
168 a person for a medically necessary treatment.

169 KK. "Manager" means the manager of the human resources division or its  
170 successor agency.

171 LL. "Marital status" means the presence or absence of a marital relationship and  
172 includes the status of married, separated, divorced, engaged, widowed, single or  
173 cohabiting.

174 MM. "Part-time employee" means an employee employed in a part-time position.  
175 Under Section 550 of the charter, part-time employees are not members of the career  
176 service.



177 NN. "Part-time position" means an other than a regular position in which the  
178 part-time employee is employed less than half time, that is less than nine hundred ten  
179 hours in a calendar year in a work unit in which a thirty-five hour work week is standard  
180 or less than one thousand forty hours in a calendar year in a work unit in which a forty-  
181 hour work week is standard, except as provided elsewhere in this chapter. Where the  
182 standard work week falls between thirty-five and forty hours, the manager, in  
183 consultation with the department, is responsible for determining what hour threshold will  
184 apply. Part-time position excludes administrative intern.

185 OO. "Part-time regular employee" means an employee employed in a part-time  
186 regular position and, for part-time career service positions, is not serving a probationary  
187 period. Under Section 550 of the charter, such part-time regular employees are members  
188 of the career service.

189 PP. "Part-time regular position" means a regular position in which the part-time  
190 regular employee is employed for at least nine hundred ten hours but less than a full-time  
191 basis in a calendar year in a work unit in which a thirty-five hour work week is standard  
192 or for at least one thousand forty hours but less than a full-time basis in a calendar year in  
193 a work unit in which a forty-hour work week is standard. Where the standard work week  
194 falls between thirty-five and forty hours, the manager, in consultation with the  
195 department, is responsible for determining what hour threshold will apply.

196 QQ. "Pay plan" means a systematic schedule of numbered pay ranges with a  
197 minimum, maximum and intermediate steps for each pay range, a schedule of assignment  
198 of each classification to a numbered pay range and rules for administration.

199 RR. "Pay range" means one or more pay rates representing the minimum,  
200 maximum and intermediate steps assigned to a classification.

201 SS. "Pay range adjustment" means the adjustment of the numbered pay range of a  
202 classification to another numbered pay range in the schedule based on a classification  
203 change, competitive pay data or other significant factors.

204 TT. "Personnel guidelines" means only those operational procedures promulgated  
205 by the manager necessary to implement personnel policies or requirements previously  
206 stipulated by ordinance or the charter. Such personnel guidelines shall be applicable only  
207 to employees assigned to executive departments and administrative agencies.

208 UU. "Position" means a group of current duties and responsibilities assigned by  
209 competent authority requiring the employment of one person.

210 VV. "Probationary employee" means an employee serving a probationary period  
211 in a regular career service. Probationary employees are temporary employees and  
212 excluded from career service under Section 550 of the charter.

213 WW. "Probationary period" means a period of time, as determined by the  
214 manager, constituting the final step in the competitive screening process for career  
215 service or for promotion from one career service position to another. An appointment to  
216 the career service, whether following successful completion of an initial probationary  
217 period of county employment or a promotional probationary period, shall not be final  
218 unless the employee successfully completes this probationary period.

219 XX. "Probationary period salary increase" means a within-range salary increase  
220 from one step to the next highest step upon satisfactory completion of the probationary  
221 period.

222 YY. "Promotion" means the movement of an employee to a position in a  
223 classification having a higher maximum salary.

224 ZZ. "Provisional appointment" means an appointment made in the absence of a  
225 list of candidates certified as qualified by the manager. Only the manager may authorize  
226 a provisional appointment. An appointment to this status is limited to six months.

227 AAA. "Provisional employee" means an employee serving by provisional  
228 appointment in a regular career service. Provisional employees are temporary employees  
229 and excluded from career service under Section 550 of the charter.

230 BBB. "Recruiting step" means the first step of the salary range allocated to a  
231 class unless otherwise authorized by the executive.

232 CCC. "Regular position" means a position established in the county budget and  
233 identified within a budgetary unit's authorized full time equivalent (FTE) level as set out  
234 in the budget detail report.

235 DDD. "Salary or pay rate" means an individual dollar amount that is one of the  
236 steps in a pay range paid to an employee based on the classification of the position  
237 occupied.

238 EEE. "Serious health condition" means an illness or injury, impairment or  
239 physical or mental condition that involves one or more of the following:

- 240 1. An acute episode that requires more than three consecutive calendar days of  
241 incapacity and either multiple treatments by a licensed health care provider or at least one  
242 treatment plus follow-up care such as a course of prescription medication; and any  
243 subsequent treatment or period of incapacity relating to the same condition;

244           2. A chronic ailment continuing over an extended period of time that requires  
245 periodic visits for treatment by a health care provider and that has the ability to cause  
246 either continuous or intermittent episodes of incapacity;

247           3. In-patient care in a hospital, hospice or residential medical care facility or  
248 related out-patient follow-up care;

249           4. An ailment requiring multiple medical interventions or treatments by a health  
250 care provider that, if not provided, would likely result in a period of incapacity for more  
251 than three consecutive calendar days;

252           5. A permanent or long-term ailment for which treatment might not be effective  
253 but that requires medical supervision by a health care provider; or

254           6. Any period of incapacity due to pregnancy or prenatal care.

255           FFF. "Temporary employee" means an employee employed in a temporary  
256 position and in addition, includes an employee serving a probationary period or is under  
257 provisional appointment. Under Section 550 of the charter, temporary employees shall  
258 not be members of the career service.

259           GGG. "Temporary position" means a position that is not a regular position as  
260 defined in this chapter and excludes administrative intern. Temporary positions include  
261 both term-limited temporary positions as defined in this chapter and short-term (normally  
262 less than six months) temporary positions in which a temporary employee works less than  
263 nine hundred ten hours in a calendar year in a work unit in which a thirty-five hour work  
264 week is standard or less than one thousand forty hours in a calendar year in a work unit in  
265 which a forty hour work week is standard, except as provided elsewhere in this chapter.  
266 Where the standard work week falls between thirty-five and forty hours, the manager, in

267 consultation with the department, is responsible for determining what hour threshold will  
268 apply.

269           HHH. "Term-limited temporary employee" means a temporary employee who is  
270 employed in a term-limited temporary position. Term-limited temporary employees are  
271 not members of the career service. Term-limited temporary employees may not be  
272 employed in term-limited temporary positions longer than three years beyond the date of  
273 hire, except that for grant-funded projects capital improvement projects and information  
274 systems technology projects the maximum period may be extended up to five years upon  
275 approval of the manager. The manager shall maintain a current list of all term-limited  
276 temporary employees by department.

277           III. "Term-limited temporary position" means a temporary position with work  
278 related to a specific grant, capital improvement project, information systems technology  
279 project or other nonroutine, substantial body of work, for a period greater than six  
280 months. In determining whether a body of work is appropriate for a term-limited  
281 temporary position, the appointing authority will consider the following:

282           1. Grant-funded projects: These positions will involve projects or activities that  
283 are funded by special grants for a specific time or activity. These grants are not regularly  
284 available to or their receipt predictable by the county;

285           2. Information systems technology projects: These positions will be needed to  
286 plan and implement new information systems projects for the county. Term-limited  
287 temporary positions may not be used for ongoing maintenance of systems that have been  
288 implemented;

289           3. Capital improvement projects: These positions will involve the management  
290 of major capital improvement projects. Term-limited temporary positions may not be  
291 used for ongoing management of buildings or facilities once they have been built;

292           4. Miscellaneous projects: Other significant and substantial bodies of work may  
293 be appropriate for term-limited temporary positions. These bodies of work must be either  
294 nonroutine projects for the department or related to the initiation or cessation of a county  
295 function, project or department;

296           5. Seasonal positions: These are positions with work for more than six  
297 consecutive months, half-time or more, with total hours of at least nine hundred ten in a  
298 calendar year in a work unit in which a thirty-five hour work week is standard or at least  
299 one thousand forty hours in a calendar year in a work unit in which a forty hour work  
300 week is standard, that due to the nature of the work have predictable periods of inactivity  
301 exceeding one month. Where the standard work week falls between thirty-five and forty  
302 hours, the manager, in consultation with the department, is responsible for determining  
303 what hour threshold will apply; and

304           6. Temporary placement in regular positions: These are positions used to back  
305 fill regular positions for six months or more due to a career service employee's absence  
306 such as extended leave or assignment on any of the foregoing time-limited projects.

307           All appointments to term-limited temporary positions will be made by the  
308 appointing authority in consultation with the manager before the appointment of term-  
309 limited temporary employees.

310           JJJ. "Volunteer for the county" means an individual who performs service for the  
311 county for civic, charitable or humanitarian reasons, without promise, expectation or

312 receipt of compensation from the county for services rendered and who is accepted as a  
313 volunteer by the county, except emergency service worker volunteers as described by  
314 chapter 38.52 RCW. A "volunteer for the county" may receive reasonable  
315 reimbursement of expenses or an allowance for expenses actually incurred without losing  
316 his or her status as a volunteer. "Volunteer for the county" includes, but is not limited to,  
317 a volunteer serving as a board member, officer, commission member, volunteer intern or  
318 direct service volunteer.

319 KKK. "Volunteer intern" means volunteers who are also enrolled full-time during  
320 the regular school year in a program of education, internship or apprenticeship who are  
321 receiving scholastic credit or scholastic recognition for participating in the internship.

322 ~~((KKK-))~~ LLL. "Work study student" means a student enrolled or accepted for  
323 enrollment at a post-secondary institution who, according to a system of need analysis  
324 approved by the higher education coordinating board, demonstrates a financial inability,  
325 either parental, familial or personal, to bear the total cost of education for any semester or  
326 quarter.

327 NEW SECTION. SECTION 3. There is hereby added to K.C.C. chapter 3.12 a  
328 new section to read as follows:

329 A. It is the policy of the county to support the endeavors of volunteers for the  
330 county in a manner that benefits the community and is in the best interest of the county,  
331 and provides scope of work direction to its volunteers.

332 B. Volunteers for the county are expected to act within the scope of assigned  
333 volunteer work responsibilities. Volunteers for the county are authorized agents of the  
334 county only when acting within the scope of their assigned volunteer work

335 responsibilities. Volunteers for the county are entitled to defense and indemnification as  
336 provided in K.C.C. chapters 4.12 and 4.13.

337 C. Volunteers for the county shall be administered as follows:

338 1. A county employee may be a volunteer for the county only if the service as a  
339 volunteer for the county is not the same type of services that the employee is employed to  
340 perform for the county;

341 2. A volunteer for the county may be asked by an agency to enter into a  
342 volunteer agreement, waiver or other type of liability mitigation protection agreement;

343 3. The county retains the sole right to accept, decline or terminate the services  
344 of a volunteer for the county for any reason. A volunteer for the county is expected to  
345 comply with all federal, state and local laws and to adhere to all county policies and  
346 procedures related to workplace conduct and use of county resources, including all those  
347 applicable to the specific department, division, section and work place that oversees their  
348 volunteer work. If the volunteer for the county violates any law, county policy or  
349 procedure, or any workplace expectation, including those related to workplace conduct or  
350 the use of county resources the county, at its sole discretion, may impose corrective  
351 measures upon the volunteer for the county. Such corrective measures may include, but  
352 not be limited to, verbal counseling in an effort to achieve acceptable compliance up to  
353 and including dismissal the volunteer for the county. Progressive measures are not  
354 required and there shall be no formal right of appeal for any corrective action taken by  
355 the county. The services of a volunteer for the county may be terminated at any time by  
356 either the volunteer for the county or by the county for any reason without cause or  
357 notice;



358           4. The use of county resources and property by a volunteer for the county is  
359 limited to the conduct appropriately required to deliver the volunteer services within the  
360 scope of work identified for the volunteer and uses that are available to the general public  
361 as provided in K.C.C. 3.04.020;

362           5. For each program that uses volunteers for the county, departments shall  
363 develop a code of conduct. The department shall provide volunteers for the county with a  
364 copy of the relevant code of conduct or post the code of conduct in an area where  
365 volunteers report for work. Codes of conduct shall include the principles of behaving  
366 with respect toward other volunteers for the county, behaving with respect toward  
367 members of the public, behaving with respect toward county employees and behaving  
368 with respect for individuals, animals or property that are the focus of the program using  
369 volunteers for the county. Individuals who violate the code of conduct shall be subject to  
370 the corrective measures in subsection C.3. of this section; and

371           6. The departments, in consultation with the manager of the human resources  
372 division, shall be responsible for the administration of volunteer programs and the  
373 management of volunteers for the county in accordance with the policies and standards  
374 established by this chapter.

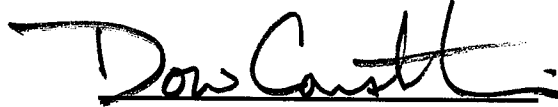
375           SECTION 4. Severability. If any provision of this ordinance or its application to  
376

377 any person or circumstance is held invalid, the remainder of the ordinance or the  
378 application of the provision to other persons or circumstances is not affected.  
379

Ordinance 16640 was introduced on 4/20/2009 and passed by the Metropolitan King County Council on 8/31/2009, by the following vote:

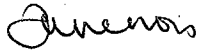
Yes: 8 - Mr. Constantine, Mr. Ferguson, Ms. Hague, Ms. Lambert, Mr. von Reichbauer, Mr. Gossett, Mr. Phillips and Ms. Patterson  
No: 0  
Excused: 1 - Mr. Dunn

KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON



Dow Constantine, Chair

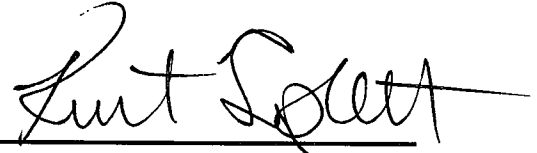
ATTEST:



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Anne Noris, Clerk of the Council

APPROVED this 10<sup>th</sup> day of September, 2009.



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Kurt Triplett, County Executive

Attachments      None

RECEIVED  
2009 SEP 11 PM 3:56  
CLERK  
KING COUNTY COUNCIL